

JUDGE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	CR05-0273RSM
<i>Plaintiff,</i>)	
)	ORDER GRANTING A CONTINUANCE
V)	OF THE TRIAL DATE AND FINDING
TERRY EZELL,)	OF EXCLUDABLE TIME
)	
<i>Defendant</i>)	
)	
)	

THE COURT having reviewed the records and files herein, including, but not limited to the Defendant's waiver to extend the time for trial, the court has determined that a continuance of the trial date would be appropriate in this case because the interest of the defendant and public in speedy trial is outweighed by the interest of the defendant in having adequate time in which to investigate and prepare his defense to a significant criminal charge, and hereby makes the following findings of fact:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation of mental condition defense, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

ORDER GRANTING A CONTINUANCE
OF TRIAL DATE AND FINDING
EXCLUDABLE TIME - 1

Phillips Law
1111 3rd Ave, Suite 2220
Seattle WA. 98101

1 2. The Court further finds that the ends of justice will be served by
2 ordering a continuance in this case and that a continuance is necessary to insure effective
3 trial preparation and that these factors outweigh the best interests of the public in a more
4 speedy trial within the meaning of 18 U.S.C. § 3161(h)(8)(A). accordingly,

5 IT IS ORDERED that the trial date be continued from November 20, 2006,
6 to February 26, 2007. Pretrial motions are due by January 18, 2007. Defense to provide
7 any and all expert reports to government by December 29, 2006.

8 IT IS FURTHER ORDERED that the period of time from the current trial
9 date of November 20, 2006, up to March 14, 2007, including the new trial date of
10 February 26, 2007, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
11 §§ 3161, *et. seq.*
12

13 DONE this _14_ day of November, 2006.
14

15
16 

17 RICARDO S. MARTINEZ

18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25

Presented by:

/s/
HOWARD L. PHILLIPS, WSBA No. 17937
Phillips Law
1111 Third Avenue
Seattle WA. 98101
Telephone: (206) 725-0912
Fax: (206) 682-3746
Email: iidefend@aol.com

ORDER GRANTING A CONTINUANCE
OF TRIAL DATE AND FINDING
EXCLUDABLE TIME - 3

Phillips Law
1111 3rd Ave, Suite 2220
Seattle WA. 98101